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FEDERAL COMMUNICATIONS COMMISSION
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Ms. Donna R. Searcy, Secretary
Federal Communications Commission
Room 222
1919 M Street N.W.
Washington, DC 20554

RE: Ex Parte Presentation in MM Docket No.
92-266

Dear Ms. Searcy:

In accordance with the commission's ex parte rule, 47 C.F.R. 1.1206, this letter is being filed in Docket No. 92-266 as notification that I have written a letter to Commissioner Barrett, Commissioner Duggan, and Acting Chairman Quello as an ex parte presentation expressing the concerns and views of the City Council of the City of Farmers Branch, Texas, in the matter of cable rate regulation.

Enclosed are two copies of the letter to the Commissioners for inclusion in the public record of Docket No. 92-266.

Respectfully submitted,

Bob Phelps
Mayor Pro Tem
City of Farmers Branch,

Texas

BP:rap

encl. Letter to Acting Chairman Quello, Commissioners
Barrett and Duggan
(two copies)

cc: Hon. James H. Quello
Hon. Ervin S. Duggan
Hon. Andrew C. Barrett

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Honorable James H. Quello
Acting Chairman
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

RE: Ex Parte Presentation in MM Docket No. 92-266
CABLE RATE REGULATION

Dear Chairman Quello:

The City Council of the City of Farmers Branch, Texas, is very concerned that the regulations that are being formulated by the Federal Communications Commission as a result of the 1992 Cable Act protect subscribers to cable television in the City of Farmers Branch. Cable prices have continued to rise in Farmers Branch. TCI Cablevision has re-tiered their rates to avoid meaningful rate regulation while services to subscribers has not improved.

Since October of 1992 when the Cable Act was passed, TCI Cablevision has re-tiered the cost of basic service to Farmers Branch subscribers. Basic service has been reduced to those channels that could be received through use of an antennae at a cost of \$10.00 per month. The other alternative is for subscribers to pay \$20.55 for expanded basic service. The tier that now formerly called basic service has been removed.

TCI Cablevision states they have changed these rates to comply with the 1992 Cable Act and to provide a low cost alternative for subscribers to basic cable service. It is obvious to the subscribers in Farmers Branch that TCI Cablevision is forcing those subscribers who had basic service to increase their monthly fee to the expanded basic service rate or basically have no cable service.

The City Council for the City of Farmers Branch suggests that the Federal Communications Commission regulations should prohibit such practice. The cost of basic service should be much lower than \$10.00 for what TCI Cablevision is offering. Subscribers should not be forced to pay outrageous prices for cable services that were present only three months ago.

The City Council of the City of Farmers Branch supports the suggestions and concerns raised by the National League of

Cities, the National Association of Telecommunications Officers & Advisors, the U. S. Conference of Mayors and the National Association of Counties ("Local Governments") in their Comments and Reply Comments filed in this Docket.

We specifically ask the Commission to support a simple certification process for rate regulation at the local level.

We urge the Commission to adopt realistic "cost per channel" benchmarks based on rates in those areas where there are true head to head competition between multi-channel video programming distributors. We support a benchmark rate of 34 cents per channel proposed by "Local Governments".

We hope the commission will also allow local jurisdictions to work in partnership with the Commission on the review and regulation of rates for cable programming services.

In accordance with the Commission's rules regarding written ex parte presentations, two copies of this letter are being filed with the Commissioner's Secretary, as required under 47 C.F.R. Section 1.1206. I have enclosed a copy of this notification letter for your files.

Respectfully submitted,



Bob Phelps

Mayor Pro Tem

City of Farmers Branch, Texas

BP:rap

encl. Ex Parte Notification Letter

cc: Donna R. Search Secretary
Federal Communication Commission
(two copies)